



U.S. Department of

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

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December 19, 2019

**By ECF and E-Mail**

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Dawson v. Brennan*, No. 19 Civ. 6064 (AT) (JLC)

Dear Judge Torres:

This Office represents Defendant Megan J. Brennan, Postmaster General, in the above-referenced action, in which Plaintiff Valerie Dawson claims that her supervisors at the United States Postal Service ("USPS") retaliated against her and created a hostile work environment in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* ("Title VII"), the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621 *et seq.* ("ADEA"), the New York State Human Rights Law, N.Y. Exec. Law § 290 *et seq.* ("NYSHRL"), and the New York City Human Rights Law, N.Y.C. Admin. Code § 8-101 *et seq.* ("NYCHRL"). The Government writes on behalf of both parties to provide the Court an update and to request a stay of the instant litigation.

The Government filed its motion to dismiss on November 14, 2019. On November 15, 2019, the Court referred the motion to dismiss to Magistrate Judge James L. Cott for a report and recommendation. Plaintiff's opposition was due on December 12, 2019, but has not yet been filed. On December 19, 2019, the parties held a mediation through the Southern District of New York's mediation program.

After the filing of the Government's motion to dismiss, Plaintiff received a notice of removal from the USPS on the basis of an incident between Plaintiff and her supervisor whose alleged actions form part of the basis for the instant litigation. That notice of removal is currently undergoing a union grievance process under the collective bargaining agreement. During mediation the parties discussed the effect of the notice of removal on the litigation, and agreed that resolution of the case was presently impossible as the results of the grievance process will materially affect the scope of the litigation.

Accordingly, the parties jointly request that the instant litigation be stayed pending the results of the grievance process. The parties propose that they submit a joint letter in sixty days, on February 17, 2020, apprising the Court of the status of the process and whether the parties wish

to resume mediation, brief the outstanding motion to dismiss, withdraw the motion to dismiss without prejudice so that Plaintiff may file an amended complaint, or take whatever other steps may be appropriate at that time.

I thank the Court for its consideration of this request.

Respectfully,

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

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GRANTED. This action is STAYED pending the results of the grievance process. By **February 17, 2020**, the parties shall submit a joint letter to the Court, regarding the status of the grievance process.

It is further ORDERED that Defendant's motion to dismiss, filed on November 14, 2019, ECF No. 18, is administratively CLOSED. Defendant shall inform the Court in her status letter whether she will seek to refile her motion to dismiss. The Clerk of Court is directed to terminate the motion at ECF No. 18.

SO ORDERED.

Dated: December 20, 2019  
New York, New York

  
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ANALISA TORRES  
United States District Judge